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**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re

CASH CLOUD, INC.,  
dba COIN CLOUD,

Debtor.

Case No. BK-23-10423-mkn

Chapter 11

**EX PARTE APPLICATION FOR  
ORDER SHORTENING TIME FOR  
HEARING ON MOTION FOR ORDER  
PURSUANT TO 11 U.S.C. §§ 105(a)  
AND 331, AND FED. R. BANKR. P. 2016,  
AUTHORIZING AND ESTABLISHING  
PROCEDURES FOR INTERIM  
COMPENSATION AND  
REIMBURSEMENT OF EXPENSES  
OF PROFESSIONALS**

Cash Cloud, Inc., dba Coin Cloud ("Debtor"), debtor and debtor in possession in the above-captioned case (the "Chapter 11 Case"), hereby submits this *Ex Parte Application For Order Shortening Time For Hearing* (the "Application") on Debtor's *Motion for Order Pursuant to 11 U.S.C. §§ 105(a) and 331, And Fed. R. Bankr. P. 2016, Authorizing and Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals* (the "Motion").

By this Application, Debtor respectfully requests that the Court enter an order: (i) setting the hearing on the Motion for March 17, 2023 at 9:30 a.m., (ii) directing Debtor to serve notice of the Motion in accordance with the procedure set forth in section III below; (iii) approving the form and scope of notice of the Motion described in section III below and providing that no other notice of the Motion need be given under the circumstances.

WHEREFORE, for the reasons set forth herein, Debtor respectfully requests that the Court hear the Motion on an order shortening time on March 17, 2023 at 9:30 a.m., and grant such other and further relief as may be just and proper.

DATED this 22nd day of February 2023.

**FOX ROTHSCHILD LLP**

By: /s/Brett Axelrod

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**POINTS AND AUTHORITIES**

**I.**

As set forth in the Motion, it is necessary for the Court to hear the Motion on an expedited basis in order to streamline the professional compensation process and enable the Court and all other parties to monitor more effectively the professional fees incurred in this Chapter 11 Case .

Based on the foregoing, and in the interest of judicial economy, Debtor requests that the Court hear the Motion for March 17, 2023 at 9:30 a.m., along with the other matters scheduled for hearing in this Chapter 11 Case.

The proposed shortening of time will not adversely impact any party's ability to respond to the Motion, since the parties have had notice of the Motion as described herein. Further, the proposed

1 shortening of time will still allow for compliance with Rule 4001(d) of the Federal Rules of  
 2 Bankruptcy Procedure (the “Bankruptcy Rules”), which provides that objections, if any, to the  
 3 Motion may be filed and served within the time fixed by the Court. Fed. R. Bankr. P. 4001(d)(2).

## 4 II.

### 5 LEGAL ARGUMENT

#### 6 A. The Relief Is Authorized by Rule 9006 and Meets Due Process Requirements.

7 Bankruptcy Rules 9006(c)(1) and (d) authorize a court to reduce the time for a hearing, and  
 8 a party to file an ex parte motion to shorten the time for a hearing. Bankruptcy Rule 9006(c)(1)  
 9 provides in relevant part:

10 In General. Except as provided in paragraph (2) of this subdivision,  
 11 when an act is required or allowed to be done at or within a specified  
 12 time by these rules or by a notice given thereunder or by order of court,  
 the court for cause shown may in its discretion with or without motion  
 or notice order the period reduced.

13 Fed. R. Bankr. P. 9006(c)(1).

14 Courts have generally acknowledged that such expedited relief does not violate due process  
 15 rights, *even if the motion to shorten time is made ex parte*. “Bankruptcy Rule 9006(c) permits the  
 16 bankruptcy court ‘for cause shown’ in its discretion, with or without motion or notice, to reduce the  
 17 notice period, and ex parte motions for material reductions in the notice period are routinely granted  
 18 by bankruptcy courts.” Hester v. NCNB Texas Nat’l Bank (In re Hester), 899 F.2d 361, 364 n. 3  
 19 (5th Cir. 1990); see also 10 Collier on Bankruptcy 9006.09 (16th ed. 2019); In re Gledhill, 76 F.3d  
 20 1070 (10th Cir. 1996).

#### 21 B. Debtor’s Counsel Has Conferred With The Notice Parties.

22 Debtor’s counsel consulted the Notice Parties as shown on the Attorney Information Sheet  
 23 For Proposed Order Shortening Time (filed concurrently herewith and incorporated by reference  
 24 herein) and provided the Office of the United States Trustee and Debtor’s secured lenders with copies  
 25 of the Motion.

1 **III.**

2 **NOTICE**

3 Upon the Court's entry of an order approving this Application, Debtor will serve the Motion  
4 via overnight mail, facsimile or electronic mail on: (i) the Official Committee of Unsecured Creditors;  
5 (ii) Debtor's secured creditors and lienholders of record; (iii) the Office of the United States Trustee  
6 for the District of Nevada; and (iv) the federal and state governmental units required by Local  
7 Bankruptcy Rule 2002(a)(6).

8 Debtor submits that such notice is adequate and appropriate under the circumstances and that  
9 no other or further notice of the Motion need be given.

10 **IV.**

11 **CONCLUSION**

12 WHEREFORE, for all of the foregoing reasons, Debtor respectfully requests that the Court  
13 hear the Motion on an order shortening time on March 17, 2023 at 9:30 a.m., and grant such other  
14 and further relief as may be just and proper.

15 DATED this 22nd day of February 2023.

16 **FOX ROTHSCHILD LLP**

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